# LIQUOR COMMISSION CITY AND COUNTY OF HONOLULU PACIFIC PARK PLAZA 711 KAPIOLANI BOULEVARD, SUITE 600 HONOLULU, HAWAII 96813

### <u>AGENDA – THIRTEENTH MEETING</u>

THURSDAY, SEPTEMBER 30, 2021 4:00 P.M.

### PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Emergency Proclamation Related to the COVID-19 Response issued by Governor David Ige on August 5, 2021, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. The procedures have been modified to comply with Mayor Blangiardi's Proclamation and Emergency Order No. 2021-13, executed on September 17, 2021. In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.

### VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <a href="https://us06web.zoom.us/j/84533248818">https://us06web.zoom.us/j/84533248818</a>; by dialing 1-408-638-0968, entering the meeting ID#: 845 3324 8818#; or, the preferred method, via the Liquor Commission website event calendar at <a href="http://www.honolulu.gov/liq/event-calendar/">http://www.honolulu.gov/liq/event-calendar/</a>. You may preregister to attend this meeting.

To provide the public with the best opportunity to observe the meeting, it is required to "mute" your device's microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Zoom platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Zoom platform, you may attend in person in Suite 600. While in Suite 600, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <a href="http://www.honolulu.gov/liq/event-calendar/">http://www.honolulu.gov/liq/event-calendar/</a> for viewing. The minutes of prior meetings may also be viewed at said website.

### ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

- 1. All oral testimony must be submitted remotely through the Zoom platform.
- 2. Each speaker is limited to a three-minute presentation.

## WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL <a href="mailto:liquor@honolulu.gov">liquor@honolulu.gov</a>. Written testimony will not be accepted in person at the meeting.

### MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<a href="http://www.honolulu.gov/liq/event-calendar/">http://www.honolulu.gov/liq/event-calendar/</a>).

### PUBLIC HEARING:

1. Appl. No. 21-22488 from Wei Family Group, Inc., dba Honolulu Skewer House, 569 Kapahulu Avenue, #1A For a Restaurant General license (Category No. 1 – Standard Bar) (Prelim. Hrg. 8/5/21)

## **LICENSE APPLICATION:**

### Temporary License Application:

 Appl. No. 21-23201 from Yung Yee Kee Dim Sum, L.L.C., dba Yung Yee Kee Dim Sum, L.L.C. For a [Stand-Alone] Temporary Restaurant General license (Category No. 1 –Standard Bar) at 1411 Kapiolani Boulevard, the former site of Thank Q Pocha (R1110)

#### REQUEST:

3. Request No. 22-23523 from 2885DH
Management LLC, dba
Lotus Honolulu at
Diamond Head, Hotel
General license,
2885 Kalakaua Avenue
(L0054)

Notification of change in management

# ACCEPTANCE OF PLEA AND ADOPTION OF DECISION AND ORDER:

4. 12<sup>th</sup> Ave Grill (LCV 20-0318) (R1042)

For acceptance of plea and adoption of Decision and Order

### ADOPTION OF DECISION AND ORDER:

5. Dave & Buster's (LCV 21-0213) (R0613)

For adoption of Decision and Order

6. Kahuna Distribution (nka Pint Size Hawaii) (LCV 19-0233) (C0120) do.

## ADOPTION OF DECISION AND ORDER: (CONT.)

7. Livestock Tavern/
The Tchin Tchin! Bar
(LCV 21-0229)
(R1085)

For adoption of Decision and Order

8. Sala Thai (LCV 20-0322) (E0157)

do.

9. Sala Thai (LCV 21-0211) (E0157) do.

10. Sky Lounge (LCV 21-0016) (E0671) do.

11. Sky Lounge (LCV 21-0228) (E0671) do.

# **ADJUDICATION HEARINGS:**

12. Aqua Oasis A Joy Hotel (LCV 21-0193) (L0019)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2021-04 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about May 1, 2021)

(Continued from September 2, 2021)

13. The Arts At Marks Garage (LCV 19-0399) (N8178)

Licensee's employee consumed liquor while on duty on the licensed premises (Violation of Rule 3-84-78.01(b)) (Date of violation: On or about October 26, 2019)

14. Bar 35 (LCV 19-0314) (E1429) Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within licensed premises before or after the hours established by the Commission (Violation of Rule: 3-82-38.20(b)) (Date of violation: On or about September 7, 2019)

15. Beachcomber Market (LCV 19-0379) (D1072)

Licensee extended the area of the licensed premises without the prior permission of the Commission (Violation of Section 281-62, HRS) (Date of violation: On or about September 17, 2019)

16. Chiba-Ken (LCV 21-0218) (R0829) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2021-06 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about May 25, 2021)

(Continued from September 2, 2021)

17. Club Splash (LCV 21-0203) (E1330) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2021-04 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about April 24, 2021)

(Continued from August 5, 2021)

18. Green Apple Lounge (LCV 19-0394) (E0822) Licensee had some form of music, dancing, and/or entertainment, including but not limited to electronic gaming devices, card playing and table games on the licensed premises, without prior authorization or approval from the Commission (Violation of Rule 3-82-47.1(a)) (Date of violation: On or about October 24, 2019)

19. Honolulu Museum of Art (LCV 20-0049) (R0158) Licensee failed to notify the Commission in writing of the name, age, and place of residence of an officer or director, within thirty days from the date of election of such officer or director (Violation of Section 281-41(i), HRS) (Date of violation: On or about October 23, 2019, and or during the period between September 23, 2019 and November 8, 2019)

20. Kabuki Restaurant & Delicatessen (LCV 20-0109) (E0313) Licensee, without Commission approval, transferred its business to another entity, either openly or under any undisclosed arrangement, whereby such other person came into possession or control of the business, or took in any partner or associate (Violation of Section 281-41(h), HRS) (Date of violation: On or about October 21, 2019)

21. Nanko Inc. (LCV 20-0114) (D0287) Licensee failed to obtain approval from the Commission in writing prior to any change in ownership of twenty-five percent or more of the stock or any change in ownership resulting in the transferee becoming the owner of twenty-five percent or more of the outstanding stock (Violation of Section 281-41(i), HRS) (Date of violation: On or about October 30, 2019 and/or during the period between October 30, 2019 and November 25, 2019)

22. Taqueria El Ranchero, LLC (LCV 19-0371) (R1116) Licensee made physical alterations within its licensed premises without the prior written approval of the Commission (Violation of Rule 3-83-62(a)) (Date of violation: On or about September 25, 2019)

23. Taqueria El Ranchero, LLC (LCV 21-0164) (R1116) (1) Licensee failed to ensure that its employee, who was registered as a manager for the licensed premises, have his/her manager's certificate of registration for the licensed premises readily available for inspection while on duty (Violation of Rule 3-82-38.9(g)) (Date of violation: On or about April 7, 2021)

Taqueria El Ranchero, LLC (LCV 21-0164) (R1116) (Cont.)

24. Osoyami LLC (LCV 19-0427)

(E1589)

25. Osoyami LLC (LCV 21-0139) (E1589)

(2) Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of its employee when that employee was on duty (Violation of Rule 3-82-38.4(a)) (Date of violation: On or about April 7, 2021)

> Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within licensed premises before or after the hours established by the Commission (Violation of Rule: 3-82-38.20(b)) (Date of violation: On or about November 30, 2019)

(Continued from May 27, 2021)

[History: 5/13/21, 5/27/21]

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2021-03 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about March 13, 2021)

(Continued from May 27, 2021)

[History: 5/13/21, 5/27/21]

## OTHER BUSINESS: (CONT.)

26. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to <a href="mailto:liquor@honolulu.gov">liquor@honolulu.gov</a>, at least five (5) business days prior to the meeting.